



SEP 9 - 2003

DIRECTOR OFFICE

TECHNOLOGY CENTER 2600

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re

U.S. application:

Keizou OCHI

For:

INFORMATION DISPLAY DEVICE RECEIVED

U.S. Serial No.:

09/645,375

Filed:

August 24, 2000

Confirmation No.:

4237

Group Art Unit:

2673

Examiner:

Kent Wu Chang

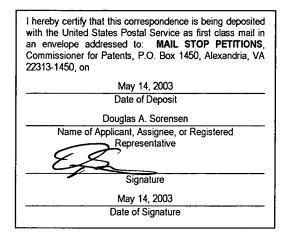
**MAIL STOP PETITIONS** 

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:



RECEIVELY HAY 22 2003 TECHNOLOGY CENTER 2800

## PETITION UNDER 37 C.F.R. § 1.181 TO WITHDRAW HOLDING OF ABANDONMENT

A Notice of Abandonment was mailed on April 18, 2003, indicating that the above-identified patent application is abandoned for failure to timely file the issue fee in response to the Notice of Allowance. The Notice of Abandonment does not state when the Notice of Allowance was issued, but the PAIR system indicates that a Notice of Allowance was mailed on December 13, 2002.

However, the Notice of Allowance was never delivered at any address to applicant's representatives of record. Accordingly, by this Petition, applicant respectfully requests the United States Patent and Trademark Office to withdraw the holding of abandonment in this patent application.

## Statements of Facts under MPEP §711.03(c)(II)

On April 28, 2003 our office received a Notice of Abandonment mailed April 18, 2003 indicating that the above-referenced application is abandoned in view of applicant's failure to timely pay the issue fee in response to the Notice of Allowance. However, the Notice of Allowance was never received by Applicant or their representatives. According to the PAIR system, a Notice of Allowance was mailed on December 13, 2002. Thus, if the Notice of Allowance had been delivered, the response period would appear to expire on March 13, 2003.

Applicant hereby respectfully petitions that the holding of abandonment for the above-identified patent application be withdrawn, based on a failure of the United States Patent and Trademark Office to deliver the Office Action to applicant's representatives.

In accordance with the requirements of MPEP 711.03(c)(II) to establish non-receipt of a United States Patent and Trademark Office communication, the undersigned agent for applicant hereby attests:

- 1. Neither I nor Sidley Austin Brown & Wood LLP, as addressee, received the original or any copy of the Notice of Allowance; and
- 2. I have carefully searched the Sidley Austin Brown & Wood LLP file and docket records for the above identified patent application and have determined that the Notice of Allowance was not in or a part of such file/records.
- 3. Attached hereto is a copy of the relevant Sidley Austin Brown & Wood LLP's docketing records (Exhibit A) for the above-identified patent application, which

Serial No. 09/645,375

expressly reflects a chronological listing illustrating where the Notice of Allowance would have been entered had it been received by Sidley Austin Brown & Wood LLP.

In view of the above showing, applicant requests the grant of this Petition to withdraw the current holding of abandonment. Applicant is not aware of any fee required for this Petition; however, in the event that a fee is required, please charge any necessary fee (other than the issue fee) to Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

By:\_

Douglas A. Sorensen Registration No. 31,570 Attorney for Applicant

DAS/jkk:bar SIDLEY AUSTIN BROWN & WOOD LLP 717 N. Harwood, Suite 3400 Dallas, Texas 75201

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May 14, 2003

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TITLE	INFORMATIO	ON DISPL	AY DEVICE							OI OI	LD#			
CLIENT	15162 M	INOLTA C	O., LTD.	1 CREF F10202/TM SE NO					CONF# 4237					
AGENT		<del></del>			AREF			CLAIMS 9			DLVR PPLAP			
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PRIOR APPLICATIONS														
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NOTES

REC'D NOTICE OF ABANDONMENT FROM PTO 04/28/03 DAS CALLED PTO 04/30/03 CHECKING INTO IT

